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# QUARTERLY REPORT

APRIL – JUNE 2014

## CIVIL SOCIETY INITIATIVES TO PROMOTE THE RULE OF LAW (CSI.ROL) IN SRI LANKA

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**Implemented by:**

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**DISCLAIMER**

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### Attachments

Attachment A: ABA/BASL Friendship Agreement

## ACRONYMS

ABA	American Bar Association
BASL	Bar Association of Sri Lanka
CLS	Colombo Law Society
CSI.ROL	Civil Society Initiatives to Promote the Rule of Law
CSO	Civil Society Organization
CWD	Center for Women and Development
DPI	Development Professionals Inc.
GA&IP	Gender Analysis and Integration Plan
GAD	Government Analysts' Department
GBV	Gender-Based Violence
LAC	Legal Aid Commission
LHRD	Lawyers for Human Rights Development
LMRB	Lanka Market Research Bureau
M&E	Monitoring and Evaluation
MOJ	Ministry of Justice
NAITA	National Apprentice and Industrial Training Authority
NGO	Non-Governmental Organization
PC	Program Committee
PMP	Performance Management Plan
PSU	Program Support Unit
RFA	Request for Applications
RFP	Request for Proposals
SLBFE	Sri Lanka Bureau of Foreign Employment
UCLS	University of Colombo Law School
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
WIN	Women in Need

## PROGRAM BACKGROUND

In September of 2013, the United States Agency for International Development (USAID) awarded the Civil Society Initiatives to Promote the Rule of Law (CSI.ROL) contract to Millennium DPI Partners. Millennium DPI Partners is a woman-owned business that implements rule of law reforms in developing countries. Millennium DPI's approach is to deliver rapid, effective, and innovative assistance to enable host country governments, civil society leaders, and communities to develop sustainable solutions that improve the delivery, availability, and quality of justice.

CSI.ROL is a three-year program to be implemented from September 30, 2013 to September 30, 2016.

The CSI.ROL program focuses on supporting targeted civil society organizations (CSOs) to promote the rule of law in Sri Lanka. Through the Bar Association of Sri Lanka (BASL), the Legal Aid Commission (LAC), provincial bar associations, educational and research institutions, and CSOs, the program is working to build capacity among these counterparts to:

- Engage in evidence-based advocacy for comprehensive legal reforms
- Enhance legal education and training for lawyers, judges, and non-judicial officers
- Improve access to legal services for marginalized and vulnerable populations.

CSI.ROL will provide a solid foundation for program success by focusing first on those CSI.ROL deliverables that are achievable by the BASL, the LAC, and other civil society groups within the current political environment. In the first year, CSI.ROL is focusing on building the BASL's capacity and its relationships with international bar associations by assisting in several fundamental areas of need. These include:

- developing a sustainable business platform from which the BASL may raise funds
- improving services to its members and effecting positive change in the justice sector
- developing the BASL's ability to produce quantifiable, statistics-based reports about the operation of the legal system to improve the delivery of justice and inform the reform process
- developing the BASL's capacity to provide guidance and training for justice sector officials on modern court management techniques and other specific areas such as gender equality.

CSI.ROL will also assist the LAC in their efforts to expand legal assistance programs throughout Sri Lanka by building the capacity of the LAC and non-governmental organizations (NGOs) and CSOs that provide legal assistance. CSI.ROL will provide funding for legal aid organizations and NGOs, partner with private sector organizations, and expand its legal assistance programs through a program-embedded public-private partnership Global Development Alliance.

## INITIAL AND ONGOING PROGRAM OPERATIONS

At the outset of the CSI.ROL program, it was determined that CSI.ROL staff would co-locate with BASL staff in the BASL building. Space within the BASL building is limited and the BASL was able to offer CSI.ROL one room on the upper floor, across from the BASL Program Committee (PC) Staff. Four CSI.ROL staff moved into these premises on February 6. With the subsequent hire of an Administrative Assistant and an additional Legal Advisor, this space became cramped, with no space for visiting consultants. Consequently, CSI.ROL began exploring options for alternative office space as there is no additional space within the BASL building. Alternate space was located in April and CSI.ROL staff moved into new office premises at 90 Galle Road on May 5.

In the first quarter, the Draft Year One Work Plan (October 2013–September 2014), Grants Manual, Performance Management Plan (PMP), and Branding and Marking Plan were submitted to USAID for approval. After discussions with USAID and some revisions, CSI.ROL received approval for the **Year One Work Plan** on December 30, enabling it to begin implementation of work plan activities. The **Grants Manual** was approved on February 6.

**Branding and Marking Plan.** Millennium DPI received comments from USAID on the Branding and Marking Plan and a revised version was submitted on March 14. USAID provided final approval on the Branding and Marking Plan on May 27.

**Performance Management Plan.** The PMP was provisionally approved on January 15, 2014 with a proviso for specific further revisions. The revised PMP was submitted on April 30, 2014. USAID provided final approval of the PMP on June 22.

**Gender Analysis and Integration Plan.** The Gender Analysis and Integration Plan (GA&IP) was submitted to USAID on June 10, 2014. We are awaiting approval of the GA&IP.

The chart below details the timing of initial deliverables and ongoing program activities:

Initial and Ongoing Project Activities	Date Conducted/Submitted
Year One Work Plan approved by USAID	Submitted November 15, revised December 28 and approved January 15, 2014
Developed and submitted Branding and Marking Plan	Submitted January 15 and revised March 14. Approved May 27.
Developed and submitted PMP to USAID	Provisionally approved January 15, 2014. Revisions submitted April 30, 2014. Approved June 22.
Gender Analysis and Integration Plan	Submitted June 10. Awaiting approval.
Memorandum of Understanding between Millennium DPI and BASL signed	January 16, 2014
Memorandum of Understanding between Millennium DPI and Legal Aid Commission signed	February 6, 2014

BASL program committee staff hired	February – March 2014
National Survey RFP pre-test and launch	June – July, 2014
Review of Applications for provision of legal services and public awareness campaigns and grant approvals	May – June 2014

## **COMPONENT 1. BUILDING INSTITUTIONAL CAPACITY OF BASL**

Component 1 aims to increase the ability of the BASL to perform a full array of functions essential for providing services to its membership and for influencing the development of a more effective justice system. CSI.ROL interventions under this component will increase the BASL's capacity to promote reforms and enhance its versatility to respond to the breadth of challenges confronting the profession and the legal system as a whole. A sister relationship between the BASL and the American Bar Association (ABA) is the primary vehicle for building this capacity.

### **I. RELATIONSHIP WITH STATE BAR ASSOCIATION**

Last quarter, USAID granted a waiver of the limit for Grants under Contract to US NGOs to enable Millennium DPI to issue a grant to ABA to partner with the BASL. Subsequently, Millennium DPI and the ABA negotiated a grant agreement, and USAID approved this sub-award on April 10.

From June 11 through June 27, two representatives from the ABA Rule of Law Initiative — Jennifer Rasmussen and Mary Greer — visited Sri Lanka to meet senior BASL leaders and conduct an assessment of the capacity of the BASL. Ms. Greer and Ms. Rasmussen held meetings with the following people and entities, among others: President of BASL; Deputy President of BASL; Lawyers' Skills Development Committee; Junior Bar Committee; Professional Purposes Committee; Ethics Committee, Finance Committee; Public Interest Litigation Committee; Rule of Law Committee; Human Rights Committee; Legal Aid Committee; private practitioners in the areas of criminal law, commercial law, and family law; past BASL presidents; US Ambassador; Asia Foundation; Ministry of Justice; regional bar leaders in Horana, Panadura, Galla, Matara, Kandy, Anuradhapura, and Jaffna; Women in Need; Lawyers Committee for Human Rights and Development; a professor from Open University; Principal of the Law College; and a representative of the Student Union from the Law College. From these meetings, ABA has gained an understanding of the capacity and needs of the BASL, which will inform the Strategic Plan to be developed in September.

During this visit, ABA and BASL signed a Friendship Agreement that will guide the relationship between ABA and BASL over the next two years (Attachment A).

ABA also discussed with the BASL President the profile of the 10 participants who will take part in the study tour to the US in August. The study tour will include participation at the ABA Annual General Meeting in Boston, side meetings with ABA leadership, and a trip to New York to meet with the New York City Bar. There will be a formal signing of the Friendship Agreement between the ABA and BASL at the ABA Annual General Meeting. A full itinerary will be provided to USAID in July. BASL will provide a list of the participants by July 9.

## **2. BASL AUDITORIUM**

In a December 31<sup>st</sup> meeting with USAID, CSI.ROL, and the BASL, the President of the BASL informed the group that 50 percent of the cost of the BASL auditorium refurbishment has been pledged as a donation from the family of the late first president of the BASL, subject to the BASL raising the remaining 50 percent from other sources. In that context, the BASL President requested that USAID consider funding the balance for the refurbishment of the auditorium through the CSI.ROL program. Refurbishment of the auditorium will aid financial sustainability of the BASL, as the BASL will be able to use the auditorium for legal education programs and other events for which it can charge a fee. USAID approved this expenditure in the December 31<sup>st</sup> meeting and on February 11 informed Millennium DPI that no formal environmental review is necessary for the refurbishment.

In March, the BASL advertised for bids on the refurbishment of the auditorium. Bids were received in April and negotiations continued through May. The total cost of the project was negotiated at 8.5 million rupees, of which the Jayawardene family is contributing 3 million. CSI.ROL is contributing the remaining 5.5 million rupees (approximately \$42,000 at current exchange rates). Renovations began on June 21 and are scheduled to be completed by mid-September.

## **COMPONENT 2. PROMOTING THE DELIVERY OF MORE TRANSPARENT AND HIGH-QUALITY JUSTICE**

Component 2 focuses on enabling Sri Lankan justice sector actors to collect and use performance data to improve legal system operations and efficacy. The compilation, analysis, and publicizing of caseload and other justice sector statistics will allow stakeholders to identify the barriers and bottlenecks hindering the efficient functioning of the courts and legal system. This information should also provide an impetus for stakeholders to coalesce around needed reforms. Assisting the BASL to develop and sustain the capacity to gather and analyze statistical data will allow justice sector actors to determine whether changes to policies, resource allocation, training, or other inputs can positively impact the delivery of justice.

### **I. DEVELOPMENT OF RESEARCH AND POLICY UNIT**

In March, the BASL hired Research Manager Umisheka Dalpatadu as part of the BASL Program Committee. Ms. Dalpatadu is the first member of the BASL's new Research and Policy Unit and will lead BASL efforts under Component 2 to gather data on court management and other justice sector information. Ms. Dalpatadu is also actively involved in the launch of the National Survey on Perception of Justice Sector under Component 4.

Originally, CSI.ROL and the BASL Research Unit intended to conduct research regarding court administration through surveys of court registrars at the magistrate, district, high, appellate and Supreme Court levels. The BASL Research Unit submitted a proposal outlining this approach to the Ministry of Justice (MOJ) because in order to survey court registrars, approval of the Judicial Services Commission and Chief Justice is needed.

Ms. Dalpatadu and CSI.ROL staff met with Anusha Munasinghe, Senior Assistant Secretary Legal/MOJ on June 6. At the meeting, we discussed the objective of the BASL research: to better understand the root causes of delays and inefficiencies in civil court administration and to provide evidence-based solutions. Chandrika Karunaratna from United Nations Development Programme's (UNDP's) Access to Justice program was also present and we discussed how the two programs could complement each other, as UNDP is primarily focused on inefficiencies in the criminal justice system and CSI.ROL is more focused on civil courts. Ms. Munasinghe appeared receptive to the idea of working with CSI.ROL and requested that CSI.ROL follow up with two formal letters of request for cooperation, one to be sent to the Judicial Services Council through the MOJ and the other to be sent to the Chief Justice through the MOJ. These letters were provided to Ms. Munasinghe on June 10.

Unfortunately, on June 17, BASL received a negative response from the MOJ. The Ministry stated that they are working with UNDP on access to justice and case flow management and therefore requested that CSI.ROL redirect the funds to strengthen legal aid.

Given this turn of events, the BASL Research Manager, Ms. Umisheka Dalpatadu, and the CSI.ROL team are developing plans to refocus this component. Initial thinking is that the BASL can conduct research among its own membership regarding court processes and advocate for reform based on the results of that research.

In addition, as an initial step, the BASL hopes to host a conference of the Bar and Bench to discuss upcoming trial court practice reforms. At the request of the Chief Justice, Judge Hunt, Senior U.S. District Judge for the District Court of Nevada, has been training judges on how to conduct continuous trials, something that does not happen in Sri Lanka court trial court practice. This is an extremely important step in improving the speed and efficiency of court trial practice; however, it will only prove successful if both the Bar and the Bench support the changes and are willing to implement them. We anticipate that some lawyers and judges may resist this change in trial practice and therefore we intend to hold a Bar/Bench conference in September, with the participation of Judge Hunt, to discuss the changes to trial practice.

### **COMPONENT 3. STRENGTHENING THE TECHNICAL KNOWLEDGE OF JUDGES, LAWYERS, AND NON-JUDICIAL OFFICERS**

The objective of Component 3 is to expand the delivery of technical, management, and administrative training to lawyers, judges, and other court personnel such as court stenographers. Under this component, the BASL — alone and in collaboration with universities, training institutes, and NGOs — will conduct legal education programs to bolster the knowledge and skills of justice sector actors and improve their responsiveness to court users.

#### **I. LEGAL EDUCATION PROGRAMS FOR JUDGES AND LAWYERS**

In this quarter, the BASL conducted two legal education training events — the Labor Law Symposium and a seminar on the Use of Forensics in the Criminal Justice System. In addition, the BASL and the CSI.ROL team have begun planning for training events for the next quarter.

## **PROGRAMS HELD THIS QUARTER**

### **Labor Law Symposium**

The BASL Labor Law Symposium took place on May 3–4 at Waters Edge, Battaramulla, with 286 participants attending, including 120 men and 166 women. The Symposium covered topics such as emerging trends in labor law, labor tribunals, security issues regarding night work for women, gender equality in the workplace, and overtime.

In evaluation forms, the participants rated the program highly. For future trainings, participants suggested modules on child labor, health and safety issues, environmental law, and trade union laws, and that more time be devoted to issues of women in the workplace.

### **Use of Forensics in Criminal Cases Seminar**

On May 31 and June 7, the BASL hosted a training program on the Use of Forensics in Criminal Cases for lawyers who practice criminal defense work. 173 participants attended, including 107 men and 66 women. Professor Ravindra Fernando from the University of Colombo's Department of Forensic Medicine and Toxicology developed and conducted the training, with additional speakers from the Attorney General's office and the Government Analyst's Department (GAD). The training covered the following topics: crime scene investigations, physical examinations, documents, firearms and ballistics, pathological evidence, forensic analytical examinations, forensic toxicology, fingerprints, and DNA. This training introduced the new DNA capabilities of GAD to educate lawyers on DNA testing and its use and limits in court. Thomas Bayer, USAID Deputy Mission Director, gave welcoming remarks and closed the training with the conveying of certificates.

This training topic proved to be in high demand. Over 260 lawyers wished to enroll in the training. However, the venue was limited to 150, and the BASL registered participants on a first come first serve basis. Many of the lawyers who wished to register were from provinces outside Colombo. Therefore, the BASL will repeat this training in Anuradhapura on July 19–20. Using feedback from this first round of Forensics training, the BASL plans to improve upon the already popular seminar (see below, Programs Planned for Next Quarter).

## **PROGRAMS PLANNED FOR NEXT QUARTER**

### **Use of Forensics in Criminal Cases Seminar**

Due to the popularity of the first Use of Forensics in Criminal Cases seminar, the BASL will conduct another Forensics training in Anuradhapura on July 19 – 20. The BASL received much positive feedback from the participants of this training, which provided a wide array of foundational knowledge about how forensics is used as evidence by the state in criminal cases. However, BASL PC staff and the CSI.ROL staff noted that the training could be improved by providing a stronger focus on how criminal defense attorneys evaluate the reliability of forensic evidence in order to use or dispute such evidence to bolster their client's case. Therefore, the BASL PC has brought a prominent criminal defense attorney on board — Mr. Ranjan Mendis — to work with the original presentation team to bolster the content of the program, providing specific content relevant to criminal defense work.

## **National Conference on Labor Migration and Trafficking in Persons**

A large number of Sri Lankans emigrate each year seeking employment. Many migrants are unaware of their rights and, consequently, are vulnerable to becoming victims of trafficking. Compounding the problem, many lawyers have insufficient knowledge of migration and trafficking issues to provide high quality legal services to migrants, potential migrants, or returning victims of trafficking.

To address this need, CSI.ROL will support the BASL, working with the Solidarity Center, to host five provincial level workshops and a national level conference on Migration and Trafficking. The five provincial workshops will be held in July and August in Batticaloa, Anuradhapura, Kurunegala, Hatton, and Galle, areas where emigration is high. Of the lawyers who attend the district level workshops, those who express the greatest interest on migration and trafficking law will be selected to attend the national conference in Colombo in August.

The programs will include a training on the human rights of migrant workers under the Constitution and existing national and international legal frameworks, including the Sri Lanka Bureau of Foreign Employment (SLBFE) Act, the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the National Labor Migration Policy of 2008, and relevant ILO Core Conventions. A brief overview will be provided of issues of trafficking and forced labor, the SLBFE grievance and complaints handling mechanisms, national legal redress mechanisms, and the process of implementing international conventions and national laws. The program will also focus on the role of recruitment agencies and consular missions, bilateral agreements, Memoranda of Understanding with host countries, and the gaps in protection.

## **2. SCHOLARSHIP PROGRAM TO THE UNIVERSITY OF COLOMBO'S MASTERS OF LAW PROGRAM**

In February, the BASL selected seven BASL Trustees to sit on a Scholarship Committee to select recipients of the scholarship to the University of Colombo's Master of Laws program. The BASL Trustees include: Mr. Yasantha Kodagoda, DSG; Mr. Sarath Jayamanne, DSG; Mr. Prasanna Jayawardena, Deputy President, BASL; Mr. S. Kaluarachchi, AAL; Mr. Sandamal Rajapaksha, AAL; Ms. Bimba Thilakaratne, DSG; and Dr. Deepika Udagama. CSI.ROL staff and the BASL PC staff met with University of Colombo Law School (UCLS) Faculty to discuss the LLM scholarship program. UCLS stated that there would be no new intake this year. The next intake will be announced in late 2014 for admission in May 2015. The BASL PC will continue to follow up with UCLS.

## **3. TRAINING FOR COURT STENOGRAPHERS**

In March, the LAC Chair obtained the approval of the Chief Justice to train court stenographers. The Chief Justice suggests that Appellate Court stenographers be the target of the first trainings and that the training should focus on legal English. The Chief Justice notes that appellate level cases take place in English and stenographers are less capable in English and Legal English than in Tamil and/or Sinhala. The trainings will take place through the National Apprentice and Industrial Training Authority (NAITA). In June, the LAC Chair received a letter from the NAITA stating they would cooperate to conduct the trainings.

CSI.ROL staff is working with the LAC Chair and NAITA to assess the training needs of the participants, determine how participants will be selected, and confirm dates of training, trainers, and development of course curriculum.

## **COMPONENT 4. ESTABLISHING PARTNERSHIPS FOR THE BAR ASSOCIATION OF SRI LANKA TO INCREASE THE EFFICACY OF THE LEGAL SYSTEM**

Component 4 focuses on strengthening the BASL's leadership in promoting evidence-based legal and policy reform, particularly with regard to improving case management, gender integration in the legal profession, and the protection of human rights. CSI.ROL and the BASL will initiate discussions with universities, CSOs, the private sector, and civil servants from select government ministries to begin research that will reveal how effectively (or ineffectively) the justice system is working. It is hoped that the reports and information that emerge from this collaborative process will broadly engage policy-makers and end-users in advocacy for change.

### **1. NATIONAL SURVEY**

A first step in the process of developing data for research and analysis is conducting a national survey on public perception of the legal system. Last quarter, Millennium DPI retained a public opinion research consultant, Christine Quirk, to assist with the process of designing the National Survey, including developing technical specifications for the local survey firm, drafting of survey instruments, working with the local survey firm to train surveyors, overseeing and ensuring quality control of pre-testing and launch of the field survey, and drafting of the final analytic report. As discussed in the last quarterly report, Lanka Market Research Bureau (LMRB) was selected to conduct the research. With financial support from CSI.ROL, the BASL contracted directly with LMRB. We believe this is the best approach so that the BASL will have ownership of the survey and CSI.ROL retains some distance, given the sensitive nature of the topic and that the survey results will not be branded.

In June, Ms. Quirk, BASL Research Manager Umisheka Dalpatadu, and CSI.ROL staff worked with LMRB to ensure accurate translations of the survey instruments into Tamil and Sinhala. The team then observed the pre-launch training of the interviewers who will conduct the survey, ensuring that the questions and instructions are understood by the interviewers in the way intended. The team then observed the pre-trial testing of both the qualitative and quantitative survey in Tamil and Sinhala by LMRB interviewers, which informed the team of some necessary refinements to the survey instruments. The qualitative and quantitative surveys were revised in English, Tamil, and Sinhala.

LMRB will launch the survey on July 14. The survey will be in the field for six weeks, and LMRB will deliver the raw data by the end of August. Ms. Quirk will draft the final report with Ms. Dalpatadu by the end of September.

### **2. COLOMBO LAW LIBRARY**

For more than a decade, the BASL's main source for legal research, the Colombo Law Society (CLS) Law Library, has fallen into disrepair as several key library subscriptions have been

allowed to expire, and the CLS Law Library has become a book repository rather than a thriving home of BASL legal research. To improve the research and policy analysis capacity of the BASL, the CLS Law Library requires upgrading. Accordingly, the BASL will use a portion of its funding to purchase key research materials, select commodities, and limited library refurbishments designed to return the CLS Law Library to a level of quality sufficient to support solid research-based advocacy within the BASL.

In March, the BASL and the CLS advertised for bids for upgrading books, bar coding existing books, equipment, and other renovations. The BASL continued to collect bids through June. However, because the BASL was not satisfied with the bids received, the BASL and CLS will re-advertise the tender process and will accept new bids throughout July.

## **COMPONENT 5. IMPROVING ACCESS TO LEGAL SERVICES FOR MARGINALIZED COMMUNITIES**

The objective of Component 5 is to improve access to legal services for marginalized communities and populations, build the capacity of the LAC and other legal aid service providers, and promote public awareness of basic rights and the availability of free legal services.

### **I. SUBGRANTS TO NGOS TO SUPPORT LEGAL AID SERVICES**

Last quarter, on March 19, CSI.ROL released a Request for Applications (RFA) for provision of legal aid services and public awareness campaigns about civil rights, access to court systems, and legal services. The RFA was emailed to NGOs, donors, and the international community. At the request of USAID, the RFA was not publicized or branded. Applications were due April 21; however, CSI.ROL accepted applications that were received past the deadline in order to evaluate a wide array of proposals. In total, CSI.ROL received 16 proposals.

All proposals were reviewed by the CSI.ROL Program Manager, Deputy Program Manager, Senior Legal Advisor, and Legal Advisor and scored in compliance with the CSI.ROL Grants Manual. Of these, five grant proposals were selected for further discussion and negotiation with the grant applicants. These include the following NGOs: Women in Need (WIN), Center for Women and Development (CWD), Lawyers for Human Rights and Development (LHRD), Sevalanka Mannar, and Vehilihini. CSI.ROL concluded negotiations with WIN, CWD, and LHRD and put these proposals forward to USAID, which approved them in June. The activities for each of these programs is as follows.

**Women in Need (WIN)** will implement a two-year project with the following activities:

1. Provide legal aid to women who are victims of gender-based violence (GBV) through staff attorneys stationed at 8 WIN Crisis Centers in Colombo, Kandy, Matara, Jaffna, Puttalam, Kurunegala, Anuradhapura, and Badulla.
2. Conduct sensitization programs for State Administrative Officials who work closely with communities (Grama Niladharis, Samurdhi Officers, and Public Health Workers) on issues of GBV. WIN will conduct one program per year for 50 officials (two programs total).

3. Conduct 18 Training Programs for Mediators on GBV (9 per year) in Badulla, Puttalam, Anuradhapura, Kandy, Batticaloa, Colombo, Jaffna, Kurunegala and Matara.

**Lawyers for Human Rights and Development (LHRD)** will implement a two-year project to provide legal aid and increase legal public awareness. Specifically, LHRD will:

1. Conduct 20 public awareness seminars (10 per year) in 9 districts for vulnerable, marginalized and plantation communities, for a total of 2,000 beneficiaries. Awareness-raising sessions will be held in: Nuwara Eliya, Hatton, Bandarawela, Badulla, Passara, Ella, Rakwana, Kahawatta, and Balangoda.
2. Conduct 8 legal aid clinics in 8 prisons in Ngombo, Kalutara, Mahara, Kandy, Colombo, Remand, New Magazine and Welikada Prisons, and Welikada Women's Prison. Approximately 200–300 prisoners will be provided consultations and 60–80 identified for legal support.
3. Provide legal representation to a minimum of 100 people through the LHRD lawyers network. At least 60 of these people will be detainees on remand (see item 2) and an additional 40 people will be assisted including women and children, victims of GBV, plantation and migrant workers.

**Center for Women and Development (CWD)** will implement a two-year project conducted in the Northern and Eastern Provinces covering 8 Districts: Jaffna, Kilinochchi, Mullaithevu, Vavuniya, and Mannar in the Northern Province and Trincomalee, Batticaloe, and Amparai in the Eastern Province. The project will undertake the following activities:

1. Conduct 10 legal awareness programs on legal issues such as land, documentation, and violence against women in Jaffna (2 sessions), Mullaitivu (2 sessions), Killinochchi, Mannar, Vavuniya, Trincomalee, Batticaloe, and Amparai, benefiting a total of 600 people (60 per session).
2. Conduct Train the Trainers (TOT) for 100 selected women and youth (25–30 yrs old) who will be trained as paralegals to provide referral services. There will be 5 programs for 20 people each, benefitting a total of 100 people.
3. Strengthening and expanding the existing legal aid unit of CWD to provide legal aid services. Cases will be referred to lawyers retained by CWD in Jaffa (two lawyers), Vavuniya (one lawyer), and Batticaloa (one lawyer) through awareness-raising sessions and paralegal activities.
4. Through legal resources people, training will be provided to officials working with Mediation Boards and women development officers at DS offices. 10 training sessions will be held for 20 people each, for a total of 200 beneficiaries.
5. Conduct a print and electronic media campaign for disseminating legal information.

USAID approved these three proposals and the grant documents have been signed. Prior to signing the grant documents each grantee organization — including their financial officer, program officer and officer in charge of monitoring and evaluation — met with CSI.ROL

Finance Manager and Monitoring and Evaluation (M&E) Specialist for training on financial and M&E requirements. The three projects began on July 1 and will continue through June 2016.

CSI.ROL continues to discuss programmatic issues with Sevalanka Mannar and Vehilihini regarding their grant proposals. We will make a determination on whether to fund these projects in July.

## **2. INSTITUTIONAL AND HUMAN CAPACITY BUILDING FOR LAC AND LEGAL NGOS**

### **A. Creation of LAC Unified Program Support Unit (PSU)**

Last quarter, Millennium DPI retained Isaac Robinson as a short-term consultant to assist with institutional and human capacity building for LAC. Mr. Robinson formerly worked with the Norwegian Refugee Council and was instrumental in the set up of the LAC field offices in the North and the Program Support Unit at LAC for the northern offices.

Mr. Robinson was in Sri Lanka from May 19 to June 14. During his time in Sri Lanka, Mr. Robinson conducted an assessment of the LAC's human institutional capacity. He met with the LAC Chair and LAC senior leadership, including the two Director Generals and LAC commissioners, LAC senior legal officers in Colombo, and visited four legal aid centers outside Colombo. As a result of this assessment, Mr. Robinson made recommendations to the LAC Chair for the development of a Program Support Unit (PSU) for the South and West of the country.

Currently, the LAC has a PSU for 10 offices in the North and East of the country that is responsible for designing special projects and raising funds for special projects in line with the mandate of the LAC. This PSU is currently funded by the EU and the Swiss government, and the 10 offices have a budget of over 1.5 million Euros. The remaining 66 LAC offices receive only government funds and operate on a budget of approximately \$1 million US dollars per year. Due to differences in funding levels and differences in training levels of the PSU staff and legal officers, the North and East offices are much more active than the offices in the remainder of the country.

The LAC Chair supports the creation of a "unified PSU" which will house the current North and East PSU team and a program manager and program officer for the remaining seven provinces (South/West PSU). This unified PSU will be managed by a Program Director. Initial conversations have explored the idea of having the current Director General for programs, Justice Udalagama, act as Program Director for the unified PSU. However, discussions are ongoing with the LAC Chair on recruitment and level of financial support for the PSU. Initial thoughts are that the LAC government budget could provide base salary for the PSU South/West staff and CSI.ROL would provide a "program allowance" for the first year. This will bring the salaries in line with the North/East PSU staff. After the first year, the South/West program manager would raise the money to cover the additional "program allowance" from donor funds. This cost-sharing of the PSU staff salaries ensures LAC commitment to the PSU, while at the same time ensuring that these positions are funded at a level required to retain professional staff.

## **B. Program Management Training for LAC PSU, BASL PC, legal aid grantees, and CSI.ROL staff**

In order to ensure the success of the unified PSU, CSI.ROL will support training for the existing and new staff of the unified PSU. Staff from the BASL program committee, CSI.ROL's three grantees — WIN, CWD, and LHRD — and CSI.ROL staff will also take part in the training, as it will benefit all program partners and our own staff.

There will be basic and advanced program management modules offered. Those who have never taken part in such trainings will complete the basic modules and those that have previously taken part in such trainings (including existing PSU staff and some CSI.ROL staff) will complete the advanced modules. Some participants will undertake both the basic and advanced modules, depending on participant needs. There will be separate project management training held in Jaffna in the Tamil language for the staff of CWD and the WIN Jaffna office.

The training will be conducted by MDF Consultants, a Netherlands-based training organization with offices in Sri Lanka, which provided training to the North/East PSU when it was established. The training modules will address the following topics: results-based management, project design, monitoring and evaluation, proposal writing, resource mobilization, and use of social media for fundraising. The trainings in Colombo will take place during the first two weeks of September. The training in Jaffna will take place later in September.

## **C. LAC Legal Officers Training Program**

CSI.ROL supported the LAC to host its training of legal officers and review meeting on April 5–7. The Chief Justice opened this training, discussing the need for fair trial in the criminal justice system and the role of legal aid. The Legal Officers from the 76 legal aid offices attended this training. Topics presented included: Sexual Harrassment (delivered by Justice Shiranee Thilakawardane), the Role of the Attorney General (delivered by the AG), Medical Negligence, Labor Law, Consumer Protection, Evidence and Cross Examination in Accident Claims, State Land, and Electronic Evidence.

Although the LAC aims to hold such meetings twice yearly, they had not held a training and review meeting in 18 months due to lack of donor funding. Legal Officers attending the event emphasized the importance of coming together to learn from each other. The LAC wishes to hold another training and review meeting in December. Prior to this meeting CSI.ROL, through the LAC Colombo office, will survey officers on their training needs and priorities in order to develop a training agenda that addresses legal officers' current needs.

## **D. Legal Officers Court Skills Training Program**

LAC legal officers are often new law school graduates with little legal or courtroom experience. For those outside Colombo, there is little opportunity for mentoring from senior lawyers. To address this issue, CSI.ROL is supporting the development of a Civil Trial Court Skills Training program, to be conducted in each of the nine provinces. This two-day training will focus on the skills needed by legal officers in their every day practice: issue framing, evidence, witness testimony, and court pleadings.

The LAC Chair has appointed a drafting committee to develop the course manual during July and August with the assistance of legal aid consultant Isaac Robinson. We anticipate that the

training will roll out in September, after the development of course materials, and training for all nine provinces will be completed by end of the year.

### **E. South Africa Legal Aid Study Tour and Conference**

On June 19–26, CSI.ROL supported four participants to take part in a study tour of legal aid in South Africa and a conference on public criminal defense services held in Johannesburg. BASL President Upul Jayasuriya, LAC Chair Rohan Sahabandu, Senior Assistant Secretary MOJ Arandara, Executive Director of Lawyers for Human Rights and Development Kalyananda Tiranagama, and Deputy Program Manager for CSI.ROL Nadee Gunaratne took part. MDPI principal Natalija Stamenkovic accompanied the participants. The study tour meetings, which took place on June 19–23, included the South Africa Legal Aid Commission, the Constitutional Court, LexisNexis, the Law Society of South Africa, the Law Reform Commission, and the University of Johannesburg Law School. The conference, “Access to Legal Aid in Criminal Justice Systems”, took place on June 24–26, hosted by Legal Aid South Africa, the International Legal Foundation, UNODC, and UNDP.

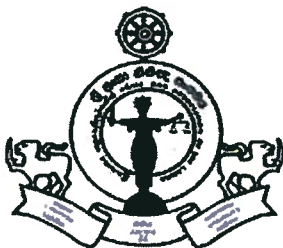
The participants came away from the study tour and conference with an appreciation of the need for criminal defense services in a legal aid system, and they made global contacts that will assist them throughout the duration of the CSI.ROL program and beyond.

### **3. LAC OUTREACH PROGRAMS**

CSI.ROL is supporting a legal awareness-raising outreach program that will be conducted by LAC legal officers for migrant workers and their families. The outreach program aims to increase the legal literacy of persons who propose to emigrate and family members of those who have emigrated, on their legal rights at home and abroad. The half-day seminars will be followed by a free legal clinic, during which participants can have their legal questions answered by a LAC legal officer.

These seminar series will be conducted in collaboration with the Sri Lanka Bureau of Foreign Employment (SLBFE) and will take place in the following 16 cities and townships: Kanthale, Kurunagala, Ampara, Mathara, Negambo, Trincomalee, Galle, Kandy, Badulla, Chilaw, Matale, Jaffna, Thangalle, Polonnaruwa, Muttur and Anuradapura.

## **ATTACHMENT A: ABA/BASL FRIENDSHIP AGREEMENT**



## FRIENDSHIP AGREEMENT

Between

**The American Bar Association  
And  
The Bar Association of Sri Lanka**

Digitally signed by Kevin Pak  
DN: cn=Kevin Pak, o=ABA,  
ou=GCO,  
email=Kevin.Pak@americanbar.  
org, c=US  
Reason: CON-05491  
Date: 2014.05.28 14:05:05  
-05'00'

AMERICAN BAR ASSOCIATION  
OFFICE OF THE GENERAL COUNSEL  
APPROVED: *[Signature]*

This Friendship Agreement is made and entered into effective as of the date set below and is made by and between the Bar Association of Sri Lanka (the "BASL") whose address is No. 153, Mihundu Mawatha, Colombo 12, Sri Lanka and the American Bar Association (the "ABA"), whose address is 740 15th Street, NW, Washington, DC 20005 (collectively the ABA and BASL, the "Bar Associations").

In recognition of the growing level of interest between our Bar Associations and among our members, and of the respective developments and challenges that we face, the ABA and the BASL have decided to formulate a friendship agreement.

It is our hope that this agreement will provide a framework through which we can deepen the mutual knowledge and understanding of our professions and professional bodies and continue to develop a positive and mutually beneficial relationship.

The Principle Provisions of this Friendship Agreement are:

### ***(1) Information Exchange***

We will endeavour to provide each other with any relevant information, advice or contacts that will assist us to perform our responsibilities as Bar Associations more effectively. For example, the BASL may provide the ABA with regular or ad hoc updates on recent developments in Sri Lankan law that would be of interest to ABA members. The ABA may distribute such updates to interested ABA members with acknowledgement that the BASL is the source of such update. In addition, the ABA may provide the BASL with regular or ad hoc updates on recent developments in United States law that would be of interest to BASL members. The BASL may distribute such updates to interested BASL members, including members of the BASL's relevant Committees, with acknowledgement that the ABA is the source of such update.

### ***(2) Exchange visits***

We will support at least three BASL leadership exchange visits to ABA's Annual Meeting and/or ABA Mid-Year Meeting during the life of this agreement. The leadership groups of each of the BASL and the ABA will make an effort to meet at least once per year to discuss issues of common interest.

**(3) ABA & BASL Annual Meeting**

- A. The ABA will provide one (1) complimentary registration to its ABA Annual Meeting to the BASL's President or his/her designee. The BASL's President or his/her designee will be designated as a "Distinguished Guest," or similar designation, at the ABA's Annual Meeting.
- B. The BASL will provide one (1) complimentary registration to its Annual Conference and one (1) ticket to the BASL's principal reception at its Annual Conference to the ABA's President or his/her designee. The ABA President or his/her designee will be designated as a "Distinguished Guest," or similar designation, at the BASL's Annual Conference and will be invited to attend a meeting with BASL officeholders at this time.

**(4) Technical Assistance**

The ABA and BASL will coordinate on technical assistance programs in Sri Lanka as outlined in a separate Letter of Commitment, which will involve the cooperation of the parties, in:

- a. Conducting a capacity assessment that focuses on the bar association's (BASL) roles and functions, and the institutional capacity to carry out those roles and functions. Specifically, the assessment will focus on current BASL capacity with respect to legal education programs, research and public advocacy, fundraising and outreach, and managing the integrity of the legal profession. The results of the capacity assessment will facilitate discussions with BASL leadership and other leaders within the legal community about the greatest needs and where to focus additional technical support.
- b. Facilitating and supporting the development of a five-year BASL Strategic Plan (BSP) which will provide a long term strategy for development of BASL that takes into consideration other legal stakeholders and that addresses, among other things, institutional and financial sustainability, and the relationship, support and service of the BASL to the 80 provincial bars of Sri Lanka.
- c. Facilitating and supporting the development of BASL's Action Plan, the implementation part of the BSP.
- d. The ABA providing technical support to assist BASL with the implementation of the Action Plan, including identifying, supporting and providing up to four leading international technical experts to conduct technical workshops with BASL members and provide advice and assistance to BASL leadership.
- e. The ABA supporting BASL's efforts to create a dedicated CLE Working Group, consisting of the BASL CLE Committee and other interested stakeholders, to discuss the BASL's future sustainability plans with respect to CLE development, delivery and financing, and responsiveness to Bar member needs.
- f. Developing and facilitating three Distinguished Bar Leaders delegations of approximately 10 leaders from within BASL and local bar associations

to participate in three official ABA meetings (ABA Annual Meeting 2014, ABA Annual Meeting 2015, and ABA Mid-Year Meeting 2016) and a parallel study tour. The substantive focus for each study tour will be based on the BSP. Illustrative focus topics for the study tours may include an exchange on CLE development, bar advocacy on legal reform, professional responsibility activities and ethics regulation, and fundraising and financial sustainability. During the study tour, ABA ROLI will foster networks and connections between BASL and ABA entities, state and local bar associations.

***(5) Other activity***

Subject to each Bar Association's policies and procedures and approval of the responsible bodies for each party, we will undertake other activities that are consistent with the matters set forth above.

***(6) Term***

This Friendship Agreement is made for an initial period of two years commencing on the date of signature below. This Friendship Agreement imposes no financial or legal obligations on the Bar Associations or individuals involved and may be terminated by either side on 14 days written notice.

Signed on \_\_\_\_\_, 2014

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James R. Silkenat  
ABA, President



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Upul Jayasuriya  
President, Bar Association of Sri Lanka



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James R. Silkenat  
ABA, President



\_\_\_\_\_  
Upul Jayasuriya  
President, Bar Association of Sri Lanka